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past for the future

Volume 55, Number 2, Spring 2005

Washington County Historical Society
118 East Dickson Street, Fayetteville, AR 72701

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Membership is invited of those interested in preservation of Washington County history. Annual dues for categories of membership are: Senior, Student, Public Library, $15; General, $25; Trail Blazer, $50; Explorer, $100; Wagon Master, $250; Pioneer, $500; Statesman, $1,000; Empire Builder, $5,000.

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FLASHBACK

Washington County Historical Society
Preserving the Past for the Future
Volume 55 **Spring 2005** **Number 2**

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Cover: The Historic Washington County Courthouse soon after completion in 1905. College Avenue was still a dirt road (Courtesy Washington County Historical Society/Shiloh Museum of Ozark History).

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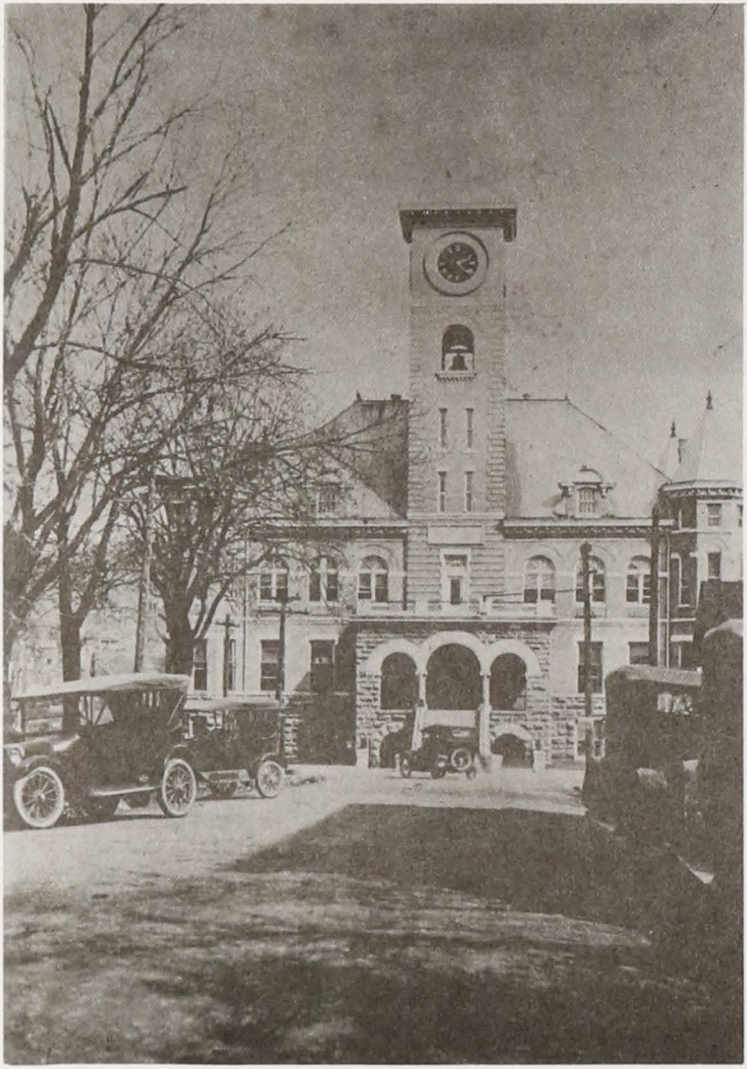


This 1920s photograph shows the Historic Washington County Courthouse as the terminus of Center Street (Courtesy Washington County Historical Society/Shiloh Museum of Ozark History).

THE HISTORIC WASHINGTON COUNTY COURT HOUSE

TONY WAPPEL

Earlier Courthouses

The Historic Washington County Court House is the fifth county courthouse. Prior to the construction of the 1905 courthouse, Washington County's other courthouses were all on the Fayetteville square on or near the site of the Old Post Office. Captain Samuel Marrs constructed the first courthouse in 1829 for a cost of $49.75. It was between what is now Block Street and the Bank of Fayetteville and consisted of a 20 x 20 log structure. The fate of the original structure is unknown. In 1837 Washington County constructed a brick courthouse for $6,398.75. Little is known about its design or builders. It was apparently destroyed by fire. George Baker built the county's third courthouse in 1854 for $6,900. It burned in 1862 during the Civil War. Fortunately, county officials had removed the county's records to Fincher's Cave near Black Oak prior to hostilities. As a result, Washington County is only one of a handful of Arkansas counties that did not lose its early nineteenth-century records during the Civil War.

Born in East St. Louis, Illinois, in 1963, Tony Wappel lived in that area until 1980, when he moved to Chicago. He obtained an A.B. in Political Science from Loyola University in 1984. In 1986 he moved to Fayetteville, where he obtained an MPA with an emphasis on the management of public records from the University of Arkansas in 1988. He has worked for the Special Collections Division of the University of Arkansas Libraries and Benton County Circuit Clerk's and County Clerk's offices, and since 1997 has been the archivist and records manager for Washington County. In addition to his interest in public records, Wappel has a strong interest in local history, community development and historic preservation issues.

Alexander Hendry built Washington County's fourth courthouse in 1868 for $22,000. This brick structure was demolished in 1905.

Planning a New Courthouse

County Judge Millard Berry, along with many other key players, took part in the planning and building of the Historic Washington County Court House. The Washington County Levying Court (quorum court), the City of Fayetteville, Commissioner of Public Buildings J. H. McIlroy, architect Charles L. Thompson, and builder/contractor George Donaghey also played major roles. Elected county judge in 1900, Berry took office in 1901. One of his first and foremost goals was to build a badly needed courthouse, as the 1868 facility was too small for the growing county. As reported on October 8, 1901, the courthouse & jail committee of the levying court, whose members were Thomas J. Campbell, W. O. Woolford, and T. J. Fellows, reported that "the courthouse is unfitted for the business of the county, unsafe and not worthy of repair, therefore, be it resolved ... that we proceed with such haste as is consistent with our financial ability to erect a new court house on some suitable site in the City of Fayetteville ... and offer for the sale of the present public square ... and that proceeds ... be used in the construction of the new building." Said resolution was adopted by a unanimous vote of the levying court. The levying court then levied one mill for a new court house sinking fund for the construction of a new courthouse.

At an October 8, 1902, meeting, the levying court recommended (1) the building of a neat substantial courthouse, modern and up to date in architecture, which will be the pride of our county seat and Washington County (2) that such house be built at a cost not to exceed $75,000 (3) a committee of three discrete and practical businessmen consisting of the County Judge

The 1868 courthouse sat in the middle of the Fayetteville Square. This 1902 photo shows a gathering to witness the destruction of illegal whiskey seized by Sheriff W. H. Rollins (Courtesy Bob Besom).

and two others ... be styled a Board of Court House Commissioners to whom shall be committed the duty of receiving plans and specifications, the awarding of contract for building ... said courthouse; and (4) the adoption of a City of Fayetteville Resolution offering $10,000 toward building said courthouse in exchange for an office for Mayor, City Clerk, City Engineer, and Chief of Police and use of basement. Justices C. W. Walker and S. S. Graham were selected to act with the county judge as the members of the board of court house commissioners.

On October 20, 1902, the city of Fayetteville passed Ordinance # 128. The city agreed to transfer $5,000 [reduced from $10,000] to Washington County's new courthouse sinking fund. In exchange, Washington County agreed to transfer ownership of the public square to the city for a period of ninety-nine years. Originally intended to be used as a park, the public square would become home in 1911 to what is now known as the Old Post Office. Washington County also agreed to give the city two rooms in the basement of the new courthouse for a period of twenty years. Perhaps the most important agreement between the city and Washington County was to locate the new courthouse within one and one-half blocks from the square.

By the end of 1902 Judge Berry agreed to purchase fifteen different parcels of property on the southeast corner of College Avenue and Center Street just north of the Historic Washington County Jail and just south of a former site of a Butterfield Stage coach stop for approximately $5,500. Former property owners included local builder A. M. Byrnes, William Walker Bishop, Clem Boles, and L. W. Niman. Prior to the building of the National Guard Armory in 1929 and the American Legion Building in 1940, the area between the courthouse and jail was used as a public park. Commenting on the site selection, the *Fayetteville Weekly Democrat* said "the building will present an imposing appearance from the Public Square on the prettiest street

in the city ... Another desideratum will be the removal of the shacks that have been an "eye sore" from a time of the oldest inhabitant knows not when, and the substitution of flowers, trees and a grassy town."

During early 1903 Judge Berry, along with Justices Walker and Graham, began touring Arkansas and Missouri to inspect newly constructed courthouses. By the fall of 1903, Berry had contacted typhoid fever and was confined to his Springdale home at the time of the October 5 levying court meeting. Judge Berry's absence notwithstanding, justices agreed to carry on his plans (per Berry's written communication). Apparently one plan was to raise the new courthouse sinking fund millage, as the levying court raised it from 1 to 1.5 mills.

By early 1904, Judge Berry appointed J. H. McIlroy commissioner of public buildings. McIlroy's job was to submit a plan for the construction of the new courthouse, including dimensions, building material, and cost estimates. On June 15, 1904, McIlroy submitted his report to the judge. McIlroy had chosen Little Rock architect Charles L. Thompson to draw up plans and specifications for the new courthouse. The estimated cost for the new courthouse was $100,000.

Building a New Courthouse

Judge Berry approved Thompson's plans and then advertised for a contractor to build the new courthouse. McIlroy received two bids on July 9, 1904. G. W. Donaghey of Conway bid $98,500. A. M. Byrnes bid $115,750. "G. W. Donaghey being the lowest and best bidder and having agreed to do the work on the lowest and best terms, I [McIlroy] did accept the said bid ... of G. W. Donaghey ... and on the 15th day of July, 1904 ... did enter into a contract with said G. W. Donaghey for the building." On July 18, 1904, Judge Berry approved, confirmed and ordered the

contracts let between J. H. McIlroy, Charles L. Thompson, and George W. Donaghey.

On Saturday October 1, 1904, under the direction of John T. Hicks, Grand Master of Masonic Lodge 5904, nearly two thousand people witnessed the laying of the cornerstone. Attending the ceremony were numerous local, state, and national dignitaries. Congressman Hugh A. Dinsmore presented a history of the previous courthouses. A copper time capsule was placed behind the cornerstone. It housed copies of county documents pertaining to the building of the courthouse, copies of all newspapers published in Washington County, a copy of the World's Fair edition of *Harper's Weekly*, a 1904 coin, rosters of local, state and national officials and a roster of members of Masonic Lodge 5904.

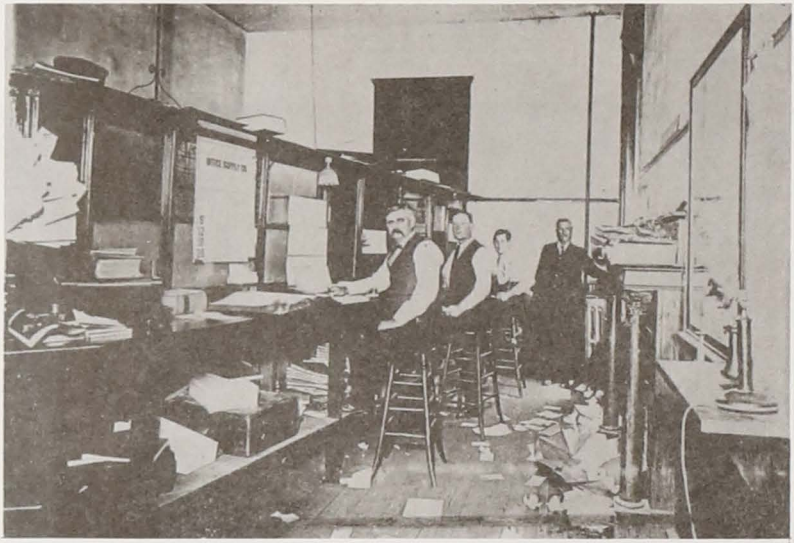
On October 24, 1904, Commissioner McIlroy hired D. C. Wurtz of Ft. Smith as supervising architect to supervise remaining day-to-day construction activities. Washington County paid Wurtz $125 a month for his services (County Court Record Q, page 520). On this same day Judge Berry ordered and adjudged that McIlroy use any and all excess stone, known as "blue grit," from the courthouse foundation to build a decorative stone wall along College Avenue between the new courthouse and the existing jail to the south. According to former Circuit Clerk Lloyd McConnell (1955–1966), the limestone came from Madison and Carroll County and one of the laborers who hauled stone was a young man by the name of H. L. Baker, who became county judge in 1927. On October 21, 1904, McIlroy entered into contract with J. F. Moore, the proprietor of The People's Furniture Store of Fayetteville, to furnish the new courthouse at a cost of $1325. The People's Furniture Store also supplied the county with new carpeting ranging from $1.16 (prosecuting attorney's office) to $1.58 (circuit court judge's chamber) a yard, linoleum at $1.30 per square yard (sheriff's office), and 138 window shades costing

$100. As the City of Fayetteville did not yet have a sewer system, the county also had to install a separate system for the new courthouse. The Duggan Brothers installed a septic system for $383.60. As for water, the Fayetteville Water Company submitted the lowest bid to furnish all water needed for sewerage, hydraulic elevator, and all other purposes in the new courthouse, the county jail, and for public stock water for $500 per year.

On March 3, 1905, about two months before completing his latest building, George Donaghey said, "The new courthouse is not only an architectural ornament for Fayetteville, but it is a great "ad" for the city and county and stands out prominently where it may be seen for miles ... It is a monument to the public spirit and enterprises of the people there ... it is one of the factors which explain why it is that Fayetteville is growing so rapidly and substantially." On April 25, 1905, Commissioner McIlroy reported to newly elected county judge W. E. Williams that as far as he could tell, work on the new courthouse was complete with only minor modifications and G. W. Donaghey should receive a full and final settlement. Judge Williams took charge of the property on May 4, 1905 (County Court Record R, pages 115 and 119). Although Williams did not officially take charge of the building until May 4, the spring term of the circuit court first met in the new building about a week and a half earlier on April 24. There was to be no smoking in the courtroom and cuspidors were scattered throughout the rooms and halls to forestall spitting on the floors of the new building. "Benton County has heretofore had the honor of having the best courthouse in the district, but she has to give way now." A new courthouse symbolized a new and modern way to keep records, as this also marked the first typewritten entry for an official Circuit Court Order, which included a lawsuit involving the Monte Ne Investment Company (Circuit Court Record R, page 424).

The First 50 Years
1905-1955

The Richardsonian Romanesque style (a style named for H. H. Richardson, an influential nineteenth-century architect) courthouse has a basement and three floors connected by grand stairways and an elevator. The basement or first floor, as it has become known, originally housed the Fayetteville mayor, city clerk and vault, grand jury, witness room, toilet room, and two additional unassigned offices and one additional unassigned vault. The second floor originally housed the circuit clerk, circuit clerk's vault, county clerk, county clerk's vault, county judge, sheriff and collector (the sheriff and collector were the same person in those years), ladies' room, and one unassigned office. The second floor also had covered porches on the west, north, and south sides of the building. The third floor originally housed a single court room, three jury rooms, ladies' witness room, prosecuting attorney, and judge's chamber. (In 1904 there was one circuit judge and chancellor who shared the single courtroom and juvenile matters were handled by the county judge.) The floor of the court room intentionally slanted so that observers could better see and hear the judge. Off the judge's chamber was a "quick escape" stairwell which exited at the circuit clerk's office one floor below. The third floor also had an uncovered porch on the west side of the building. The fourth floor originally had a balcony overlooking the court room and two jury rooms. The other space was unassigned. It also houses a narrow stairwell leading up to the courthouse tower, bell, and clock. Other interesting building-wide features included decorative ceramic tile floors in the public foyers and corridors, coal-burning fireplaces with colorful glazed brick fronts in each office, a boiler in the sub-basement that provided steam heat, and approximately twenty-inch thick brick, fireproof vaults. (Ironically, all of the



Two scenes from the early days of the courthouse (Courtesy Washington County Historical Society/Shiloh Museum of Ozark History.

vaults originally had windows for lighting and ventilation and became even less fireproof as the county added electricity).

One of the first actions upon moving into the new courthouse was to sell the old one. On May 31, 1905, George Stockwell was appointed commissioner to sell the (1868) courthouse. Upon advertising for the sale of the building, Stockwell reported that A. F. Wolf was the highest bidder, paying $415.00 for said building and $16.70 for its fixtures. Upon removal of the 1868 courthouse, the site was turned over to the city of Fayetteville. Another issue facing Washington County in 1905 was the fact it still owed Donaghey $86,000. The levying court remedy was to raise the sinking fund to two mills in order to pay Donaghey over the next several years.

The earliest years, as with the most recent, of the historic courthouse's history were marked with mechanical and maintenance issues. The first thing to go wrong was the hydraulic elevator, as it was discontinued in 1906. Apparently, the cost of water needed to operate it was too high. In 1910 the levying court allocated money to repair the roof. In 1913 the committee on the court house and jail reported that the roof still leaked and that there were problems with birds in the attic. They recommended soldering the roof along the cone and screening the ventilators to keep the birds out of the tower. In 1916 the upper floor of the courthouse was furnished with cots for hung juries. Also, in 1916 the Fayetteville Public Library began leasing space in the basement of the courthouse. They remained there until 1927. In 1917, the committee on the court house and jail reported that the basement floors were rotting and that the floors and walls were separating in the city water department office (southeast corner of first floor). They recommended replacing basement wood floors with concrete. During the administration of County Judge George Appleby (1917–1919), the entire courthouse was redecorated by a local interior designer, Paul M. Heerwagen.

An interior of the courthouse circa 1912–1916 (Courtesy Washington County Historical Society/Shiloh Museum of Ozark History).

In 1920 the DAR [Daughters of the American Revolution] commissioned William Steene of New York to paint a mural honoring those Washington County men who had died during the recent World War. The central figure in the mural is the Angel of Victory, who represents the Womanhood of America and Washington County. She holds two tablets inscribed with the names of those Washington County men who gave their lives during the "War for Human Rights." The mural was unveiled with great fanfare on July 5, 1920, in the loft of the Ozark Theater next door and was moved to its present location on the second floor of the Historic Washington County Court House shortly thereafter. Through numerous fund drives, the citizens of Washington County donated most of the $1400 needed to paint, hang, and frame the mural.

It is difficult to imagine this today, but during the early 1920s, Washington County had extra space in its courthouse. Through a 1902 agreement with the city of Fayetteville, the city was occupying a portion of the basement of the courthouse. In 1922 County Judge J. E. Dowell and the mayor of Fayetteville, Allan M. Wilson, formalized this occupation by signing a lease in which the city of Fayetteville would lease two rooms in the southeast corner of the courthouse for a period of five years for $40 a month. The county would provide heat, light and water for the police court, mayor's office, council chamber, and city water plant office. In 1926 Washington County leased the northwest corner office on the second floor, as well as floor space in the hallway, to the Pollard-Pettigrew Abstract Company for $12.50 a month for five years. The abstract company was required to vacate when the grand jury met or if the county assessor needed space .

By 1927 Washington County was running out of office space and requested the city of Fayetteville and all other non-county offices to vacate the building. Washington County needed space for its school superintendent, farm demonstrator, home

A view of the courthouse from the Fayetteville Square in 1918 (Courtesy Washington County Historical Society/Shiloh Museum of Ozark History).

demonstrator and for other purposes. The city refused. On October 10, 1927, County Judge H. L. Baker ordered the sheriff to remove from said rooms the city officials and employees of the city of Fayetteville, together with all of their records, books, papers, furniture and other property. The city did not budge and appealed to the circuit court. Circuit Judge J. S. Maples favored the county judge and said that although the county judge has the right to rent unused county property to non-county offices, he also has the right to terminate such agreements when the county needed the space. The city was gone by the end of 1928. Although the county was running out of space inside the courthouse, it still had a large lot to the south. On March 1, 1929, the quorum court agreed to donate a part of the county grounds to the Arkansas National Guard.

The county still faced structural problems during the 1920s. In 1922 the ceiling over the front entrance leaked and still did so in 1925, and again in 1926. On June 1, 1929, the courthouse committee reported that unsanitary conditions existed in the lower level toilet and, probably to no one's surprise, that the roof of the courthouse leaked and needed immediate repair. On November 12, 1929, the quorum court appropriated $500 for repairing the roof, $250 for window repairs, and $900 to paint the exterior of the courthouse .

Perhaps because of the Great Depression, the county resigned itself to lack of finances. Not much was said of the courthouse's structural needs during the 1930s. For an unknown reason the quorum court held its January 2, 1934, meeting in the recently constructed National Guard Armory. At that meeting Judge Jackson requested a resolution be drawn up in the interest of remodeling the courthouse. During the January 7, 1935, meeting, the Quorum Court noted that it had become aware that an abstractor by the name of B. B. Bronson had been using space in the courthouse as his private office. Furthermore, the county

An unusual jury of all women in 1935. From left: front row: Tom Pearson, deputy prosecutor; Mrs. Fannie Walker, Mrs. Hattye Luckett, Mrs. Roy Scott, Mrs. W. J. Frost, Mrs. B. B. Bronson, Mrs. Green Maguire, Mrs. Everett Johnson; back row: Mrs. A. D. Rife, Mrs. Irvan Mayes, B. F. Harper, justice; Mrs. Olga Hawn, Mrs. Helma Beardon, Miss Florence Hammersley, Frank Fletcher, deputy sheriff (Courtesy Washington County Historical Society/Shiloh Museum of Ozark History).

judge needed to demand rent from him or have him vacate the office. In 1936 the Federal WPA (Works Progress Administration) paid a visit to the Historic Washington County Court House. In addition to surveying county records, the WPA recommended better storage systems and transcribed several deteriorating record books. In their report, the WPA said records in all offices were carefully and neatly kept. Furthermore, "records were accessible to the public ... and the public encountered uniformly courteous treatment and a willingness on the part of the officials to be of service at all times." Their only concern was that the circuit clerk had no more space in which to store records. Their vault was already overcrowded and there was very little room left in the collector's vault, where the circuit clerk's office had been sending their older records.

A sketch made during the WPA's 1936 visit also sheds some light on the arrangement of courthouse offices in the 1930s. The basement of the courthouse was home to the assessor (southeast corner), the treasurer and vault (middle east side), collector and vault (northeast corner), WPA Project office (northwest corner), men's public restroom, and welfare office (southwest corner). According to Ann Wiggans Sugg, the Washington County Library established offices on this floor around 1936, with Helen Hudgins Wiggans being the first county librarian. They remained there until the early 1960s, when they began sharing space with the Fayetteville Public Library. The second floor was home of county judge (southeast corner), county clerk and vault (middle east side), circuit clerk and vault (northeast corner), Agricultural Extension office (northwest corner), public toilet, and sheriff (southwest corner). They also referred to the elevator as the "old elevator shaft," which makes one wonder if the elevator was still inoperable at this time. The third floor was the home of the court room (east side), the chancery judge (northeast corner), County Health office (northwest corner), woman's toilet and

superintendent of schools (southwest corner). The WPA did not draw a sketch of the fourth floor.

In 1940 Washington County sold off the remaining property between the courthouse and jail. On May 3, 1940, the Lynn Shelton Post # 27, Department of Arkansas, American Legion, purchased the southernmost part of the lot nearest the Washington County Jail. On May 28, 1940, Washington County donated the easternmost part of the lot to the Arkansas National Guard, which needed to expand its armory for a place to store their vehicles and equipment.

On September 15, 1945, County Judge George F. Caudle declared the necessity for a new courthouse and jail. "The County Courthouse and Jail of Washington County, Arkansas is old, unsanitary, badly in need of extensive repairs, and too small to serve the county purposes, and is wholly unsuitable for the housing of public records and the transaction of the public business." Judge Caudle hired a local architect, T. Ewing Shelton, to prepare and file plans and cost estimates for a new courthouse and jail to be located just west of the square behind the Campbell Bell Building. His estimate of $250,000 was put to a vote on October 23, 1945. With a nearly three to one margin, voters rejected Judge Caudle's plans. Some of the reasons given for voting against the proposal were that the county still owed money on the 1904 courthouse, that they never finished the fourth floor, and that the elevator never worked, thus requiring many residents to be carried up the stairs by court bailiffs. Simply put, citizens could not trust the county with a new courthouse when the county could not take care of the one they had. It is interesting to note that one year later voters overwhelmingly approved construction of a county hospital. After losing the vote, the quorum court at its meeting of November 19, 1945, recommended the county judge enter into contract with some competent engineer to furnish and/or reinstall shelving in the circuit clerk's and county clerk's

vaults to the extent records can be properly kept for many years to come, that they the clerks dispose of all wooden material likely to burn, that they discard loose papers stored on the fourth floor. Furthermore, the quorum court directed the county judge to reroof the courthouse, for yet another time, to stop its leaks, and to install new lighting fixtures.

On August 8, 1947, County Judge Witt Carter ordered that the front entrance of the courthouse be altered so that College Avenue could be straightened out and widened. Prior to this alteration the front steps rested on an island that jutted out into what is now the northbound lane of College Avenue. In about 1948 the courtroom was split in two. In a 1999 discussion with Ada Anderson (Judge Butt's court reporter), Anderson told me the courtroom was not split in 1945, when she was hired as Judge John Butt's court reporter, but that it had been split before1951, when Judge Thomas Butt began serving his fifty-year term as chancellor. The fourth-floor court room balcony may have been closed off at this time, as well. Circuit Judge Cummings occupied the larger of the two courtrooms and Chancellor Thomas Butt occupied the smaller courtroom. In addition to Judge Thomas Butt, the longest serving circuit judges and chancellors to serve in the Historic Washington County Court House included Circuit Judge J. S. Maples (1905–1918), Chancellor T. S. Humphreys (1905–1916) and Circuit Judge Maupin Cummings (1947–1978).

On May 12, 1948,a grand jury met and made a report to the county court on the Fayetteville sewer system, the county courthouse, the county jail, and the county home. As for the courthouse, the grand jury stated there is "considerable lacking on the Janitor's part in keeping ... clean both mens' and ladies' restrooms ... and that the condition should be corrected for the general welfare of the public." The grand jury was also very concerned about fire hazards. They recommended the elimination of all wooden shelving in the clerks' vaults, the removal of clutter

from the attic, and the removal of worthless artifacts from the boiler room. One other concern was that the courthouse windows needed painting. They did compliment the county on the improvement of the front entrance. [I assume they are referring to the re-construction of the front steps of the courthouse.]

In 1951 another grand jury recommended that the county fix the roof of the courthouse. Indeed, some maintenance problems have been perpetual. The greatest leak-related problem was on the northeast corner of the building, damaging the floors and walls on the offices below, including the chancery court room, the circuit clerk's office and the collector's office. The grand jury also suggested that the floor be fixed in the darkroom of the circuit clerk's office, that the circuit clerk be provided with more office space, and that the county clerk install metal roller shelving for storing books. Finally, the grand jury stated that the courthouse appears to be receiving poor janitorial service and that it needs to be improved. It is interesting to note that one year later in another very abbreviated report, the grand jury reported that all offices and rooms in the courthouse were clean and in proper condition. The only recommendation was a request passed on from Circuit Clerk Richard Greer that he have additional record storage space.

The Second 50 Years
1955–2005

Maintenance problems continued during the second fifty years. However, over the last half-century the Historic Washington County Court House seemed to be plagued with a new and more serious space problem— parking. It may have been that the Historic Washington County Court House remained in tip-top shape for a few years after the1952 grand jury met, as little evidence to the contrary exists. However, a grumbling about space problems re-emerged. In 1963 Judge Arthur L. Martin

recommended a new courthouse and jail be built. He also suggested the county buy the National Guard Armory next door. No action was taken until many years later. On January 8, 1964, a grand jury which had been meeting since November 7, 1963, returned unto the county court its report on the county buildings and shop. The grand jury noted several problems. "The County Clerk's Office is entirely inadequate. The vault needs to be made fireproof and more efficient space needs to be provided. Tax records were found to be located in about three different offices. This was due to the fact that space was not available ... The Circuit Clerk's Office is sorely overcrowded and there is no space for records. The vault is not fireproof. A very large window is quite [in] evidence and some of the valuable records in this office are stored in rooms without doors ... and in some instances valuable records are presently missing ... The County Agent's Office is in the same situation with records being stored in the hallway ... The Assessor's and Collector's Office need to be located in such space as would permit them to be adjoining because of the intra-dependent nature of the work ... and since both offices use many of the same machines and records ... The County Treasurer's Office is in the same condition as other offices, their vault being in very poor condition. The Machine Office has no vault and records are not stored in a fireproof area. Many of these records are practically irreplaceable and we were advised that many of these records remained on an open porch for over one year." The machine office is where, before the days of photocopy machines, original documents were copied onto white on black photostatic pages for recording in county record books. As for the third floor, the grand jury believed the entire floor should be devoted to court purposes, that there needed to be more adequate restroom facilities for both men and women, and that there needed to be a conference room for both the plaintiff and

defendant attorney. The grand jury did not mention the fourth floor of the courthouse.

In its general recommendations, the grand jury noted that "the Washington County Court House was constructed in 1904 to serve the county with a population of 34,000 persons. With no increase in space today the same court house serves Washington County with a population of 65,000 persons." They stated that "fire proof vaults" were no longer fireproof and that storing records in hallways and other unsuitable places was leaving such records exposed to fire and the will of persons inclined to go through such files. Nevertheless, county officials were doing the best they could given the present inadequacy of their various offices. The grand jury recommended that "county authorities take immediate steps to purchase or lease additional space to alleviate crowded working conditions ... possibly the Armory from the State, or as near as possible to the present county court house." They also recommended the county look into upgrading its electrical and heating systems.

The most visible change to the historic courthouse occurred in 1965. In that year the clock tower steeple had become structurally unsafe and County Judge Gene Thrasher had it removed. In 1966 Washington County began leasing the gravel parking lot to the northeast of the courthouse from Houston Taylor Motors for $200 a month. In 1967 the quorum court authorized Judge Thrasher to purchase the National Guard Armory Building for $60,000. Washington County finally acted upon Judge Martin's original 1963 suggestion in December 1968, shortly before the arrival of County Judge Vol Lester. Throughout its history as a county building, the National Guard Armory was at one time home of the juvenile court and parole office, extension service, the prosecuting attorney's office and the revenue office. The basement was home of the Washington County Jail and sheriff's office between 1972 and 1988. Another change that took

place in the early 1970s was the closing in of the second floor porches on the north and south sides of the [courthouse]. This provided additional space for the offices of circuit clerk and county judge.

Like many who preceded him, County Judge Vol Lester was aware of the need to build a new courthouse. On August 11, 1969, he hired local architect Paul Young Jr. to draw up plans for a new courthouse and jail. What became of these plans is unknown. Otherwise, Judge Lester was responsible for many of the improvements of the aging Historic Washington County Court House as well as the purchase of other county buildings. In 1969 he purchased the first fire alarm system. Installed by D & D Electronics Company, Inc. of Fayetteville for $2,460, the alarm system included fire sensors necessary to adequately cover the entire building, wire, power supply, alarm buzzers on each floor, four pushbuttons to activate the system, and an identification panel. In May 1970 Washington County agreed to pay Arkansas Western Gas $39.00 a month for a five-ton gas air-conditioning unit. In 1972 Judge Lester agreed to place the courthouse on the National Register of Historic Places. This agreement gave the Arkansas Historic Preservation Program a conservation easement on the front facade of the building, which meant no alterations could be made unless they approved.

However, the most dramatic changes that took place during Judge Lester's administration came in 1973 and 1974. In 1973 the circuit courtroom was remodeled. Remodeling included the installation of new carpeting, a new sound system, a new dropped ceiling with recessed lighting, and modernistic furniture. On September 28, 1973, Washington County established its present day office of emergency services. According to Assistant County Administrator John Gibson, a lot of federal money was floating around in the 1970s to build shelters to withstand all types of nuclear blasts except a direct hit. On November 21, 1973,

Washington County signed a contract with local architect Warren Segraves and the Brennan Boyd Construction Company of Fayetteville to build a bomb shelter complete with backup generator and supplies, and also a new vault addition to store county records. Completed in 1974, this four-level addition was attached to the east side of the courthouse. It housed the office of emergency services (first or basement level), treasurer, assessor, and collector vaults (2nd level) and County Clerk and Circuit Clerk Vaults (3rd and 4th levels). Oral history suggests this addition was to provide enough space to store county records for thirty years. Also, the existing HVAC [hearing, ventilation, and air-conditioning] system for both the courthouse and addition was installed that year to replace the numerous electric heaters and air-conditioning units that had filled the building. Total cost for the addition and new HVAC system was approximately $253,000, of which $60,000 came from the federal government.

According to a grand jury report released during the construction of the vault addition, the Washington County Courthouse in Fayetteville was a disgrace. "The time has come for a new courthouse in Washington County ... The building is generally deteriorated and provides only cramped space for county offices ... Offices are poorly arranged, having been created in corners and hallways until the building now resembles a rabbit-warren ... Fire safety is inadequate, county records are stacked helter skelter ... parking is inadequate, there are no separate rooms for witnesses, and space for juries to meet ... [rooms] poke out from corners and from behind doors ... County Judge Vol Lester [should] stop spending additional money on the structure and take immediate action towards building a new courthouse ... [Judge Lester responded by saying that even if voters support a new courthouse, it would be several years before it could be completed and that in the meantime improvements needed to be made to address current needs of the county, which

included space for a new circuit judge and chancellor.] However ... the jury recommended that the current courthouse be preserved because of its great historical and architectural value."

Washington County's earliest attempt to preserve the outward appearance of the building came in 1974 when it replaced the spire removed in 1965 for safety reasons. On September 8 a five-man crew from the 273rd Aviation Company, Heavy Helicopter, Fort Sill, Oklahoma eased the largest helicopter in the western world into position above the courthouse tower shortly after 8:00 A.M. Sunday, then rocketed skyward as the mission was accomplished. The chopper left behind an estimated five to eight thousand applauding Fayetteville residents and a number of county officials breathing a sigh of relief. "It was a tremendous sigh of relief when that helicopter took off and I saw the steeple sitting there," said County Judge Vol Lester. "It ended months of worrying about how we were going to get the thing up there." Major Jimmie Ford, commanding officer of the unit, said though the team has made several airlifts of heavy equipment to the tops of towers and buildings, this was the first time they had placed such a structure on a building in a heavily developed civilian area. Many spectators noticed the steeple was crooked, leaning slightly to the west. After the helicopter left, workman used a winch to pull the steeple in place. The entire Fayetteville Police Department and Washington County Sheriff's force were aided by thirty members of the National Guard in helping keep spectators a safe distance from the hurricane-like winds produced by the rotor wash of the massive aircraft. There were no injuries, though most in the crowd were pummeled by the winds and some dirt and flying debris. Shortly before replacing the steeple, the county also replaced the dark clock face with translucent material and lighted the clock room so that the clock would be illuminated at night.

In 1975 the fourth floor of the courthouse was remodeled to accommodate a courtroom, judge's chambers, and a jury room.

An army helicopter lowers the new steeple on the courthouse tower September 9, 1974 (Springdale News photograph courtesy Shiloh Museum of Ozark History).

The first judge to use this space regularly was Chancellor John Lineberger, who was first appointed special circuit judge in 1975 and then elected second division chancellor in 1977. Other work completed in 1975 included the paneling of offices, installation of suspended ceilings, and replacing deteriorating windows. One other not so notable event at the time occurred on October 10, 1975. Deputy County Clerk Marilyn Edwards issued a marriage license to William Jefferson Clinton and Hillary Diane Rodham in the county clerk's office on the second floor of the Historic Washington County Court House.

During the U. S. Bicentennial, the Marion Chapter of the DAR commissioned Fayetteville resident Gertrude Gump to clean and restore the World War I mural. The restoration project was financed through a fund drive led by Fayetteville school children. In July 1976 the county sprayed the exterior of the building with bleach to try to restore the building's original light color. In 1976 Judge Lester established a central copy station for the county in the foyer of the second floor. Prior to installing direct dial phone lines in the early 1990s, this facility was also used as a central switchboard facility. In December 1976 Washington County purchased the old Montgomery Ward/Clark-Eoff Furniture Store building across the street from the courthouse. Until 2000 it was known as the Washington County Courts Building and at various times was home of juvenile court, circuit court's II division, the public defender, child support enforcement, quorum court and the Washington County Law Library. Warren Segraves was responsible for redesigning the interior of this building. The county considered building a bridge to connect the courts building to the courthouse but was deemed to be too costly.

With Judge Lester's purchase and renovation of the National Guard Armory and the Montgomery Ward building, the Historic Washington County Court House had increased breathing room, as many county offices were now housed in buildings other than

the courthouse. However, in 1979, when Charles Johnson became county judge, the offices that had remained in the courthouse were, along with the county's population, growing by leaps and bounds. The county clerk, circuit clerk, assessor, collector and treasurer had already outgrown their new vault addition. Offices such as emergency services, personnel, environmental affairs, purchasing and comptroller had become or were soon to become a larger part of county government and were competing for any and all available office space. As in the past, the county managed to utilize the space it had, regardless of cramped quarters, and continued calling the historic courthouse home for nearly twenty more years. Over the next several years, County Judge Johnson restored the public spaces of the interior of the historic courthouse, including stairwell and corridor woodwork, cast-iron pillars of the first and second floor lobbies, and removal of infill offices from corridors. In 1984 Washington County began replacing windows on the third floor. Also, in that year the Johnson Plumbing Company, the Ozark Floor Company, and the Felix Thompson Company were awarded a bid to renovate and upgrade the public restrooms. In 1985 the county upgraded the fire-alarm system installed in 1969, and for $2,963, painted the interior of the courthouse. In 1986 the Fayetteville Exchange Club sponsored the installation of the Freedom Shrine in the basement lobby. The display consists of framed replicas of famous and significant documents in American history such as the Mayflower Compact, the Declaration of Independence, the Bill of Rights, and surrender documents of World War II. In 1987 Prairie Grove resident Keith Black sculpted a statue depicting a Vietnam War soldier. Titled "Let's Move On," this statue was donated to Washington County for permanent display and has complemented the Freedom Shrine since the late 1990s.

On August 15, 1989, Judge Johnson entered into an agreement with the architectural firm of Witsell, Evans & Rosco

of Little Rock along with David Powers of Springdale to conduct a courthouse rehabilitation master plan. Completed on November 28, 1989, this work continues to guide Washington County's efforts to restore the Historic Washington County Court House. Ironically, on December 12 of that same year, voters overwhelmingly passed a measure allowing Washington County to purchase First South Centre at 280 North College Avenue. Voters supported the county's move not only because of the need for increased space for county offices, but also because of the promise of increased parking and easier access to the courthouse (there was no hill to climb!) Constructed in 1986, First South Centre originally housed a savings and loan, a dentist's office, a computer store, a radio station, an oil company and other offices. Approximate purchase price for the 85,000 square-foot building and 250-space parking lot was $3.3 million dollars. Offices began relocating to First South Centre in 1991, the first being the assessor, collector and revenue office. Chancellors Thomas Butt and John Lineberger, as well as Circuit Judge Kim Smith, moved to the new courthouse in 1993. Judge Storey left the historic courthouse in March 1994. In June 1994 Washington County dedicated First South Centre as the Washington County Court House and the old courthouse became known as the Historic Washington County Court House. The last offices to leave the historic courthouse were the county judge and county clerk, who left in the fall of 1995.

Restoring the Historic Washington County Court House

During the late 1990s and early 2000s, many members of the quorum court were in favor of completely closing or selling the historic courthouse. Upkeep and utility bills were too costly and the building was no longer practical for the modern day needs of a growing county. The courthouse bell was turned off for a few

years because of the expense in maintaining the bell's malfunctioning timer–on more than one occasion the bell rang at odd times of the day or rang out more hours than were in a day. However, contrary to popular belief, the disappearance of all major offices from the courthouse was not the Historic Washington County Court House's death knell. Upon the departure of Circuit Judge Storey, the third floor became home of the Washington County School Board, who had previously resided there until 1983. The third floor also became home of the 4 County Solid Waste District. During the late 1990s the U. S. Bankruptcy Court held its hearings in the third floor courtrooms.

Although the county clerk, circuit clerk and treasurer had all vacated the old courthouse by the end of 1995, they did not have enough space in which to store their historic records and many of their court files. As a result, they maintained a staff of one to supervise records use at the historic courthouse. In 1997 County Judge Charles Johnson established the Washington County Archives. Located on the second floor of the courthouse, its mission is to establish and manage a county archives and to coordinate the storage of all other inactive records stored at the historic courthouse. In 1999, under the direction of newly elected County Judge Jerry Hunton, this office merged with the solo staff member originally hired to assist the county clerk, circuit clerk, and treasurer. In addition to the archives, a few other county judge's departments remained at the historic courthouse, namely the offices of emergency services, environmental affairs and planning. In 1999 the sheriff's office began using the fourth floor of the courthouse for training purposes and a portion of the basement for evidence and inmate records. Also in 1999, Judge Hunton reactivated the courthouse bell.

2000 was a big year for Washington County. Under the leadership of Judge Hunton, a new juvenile courts & detention center and a new operations & maintenance center were

constructed on the south side of Fayetteville. In addition to the road department, the operations center included space for the offices of Emergency Services, Environmental Affairs, Planning and the 4 County Solid Waste District. Also in 2000, the State of Arkansas was closing all of the county school boards, including Washington County's. These new facilities, together with the departure of the Washington County School Board, freed up space in the historic courthouse for expansion of the county archives on the first and second floors and for the relocation of Circuit/Chancery Judge Mary Ann Gunn to the third floor. Before relocating to the third floor, Judges Hunton and Gunn spearheaded a nearly complete restoration of the third-floor courtroom and office space.

In 2003 Judge Hunton and the Washington County Quorum Court created the Historic Washington County Court House Advisory Board to make recommendations on the restoration and rehabilitation of the historic structure. Members were Timothy C. Klinger (chairman), John Dupree, David L. Powers, Lorel D. Aviles, and William R. Kincaid. The advisory board followed two chief principles "The Old Washington County Courthouse is a significant structure and a symbol of the county that should be preserved and maintained for the benefit of this and future generations of county citizens and all maintenance and preservation efforts for the Old Washington County Courthouse of any nature should be performed in accordance with the Secretary of the Interior's Standards for Rehabilitation with the guidance of the Arkansas Historic Preservation Program." The board recommended three primary objectives: "Secure the exterior of the building from further deterioration, restore/renovate the building interior to provide a safe and properly functioning working environment for active use by county employees and visitors, and provide an environment to showcase the history and legacy of Washington County for its

citizens and future generations." The advisory board suggested the county continue using the Witsell, Evans, Roscoe and Powers rehabilitation master plan submitted to the county in 1989 as a guide to restoring the historic structure. Total estimated cost to restore both the inside and outside of the building is 4.5 million dollars. In 2004 Judge Hunton announced the selection of the Polk Stanley Architects, Ltd. as the firm to guide Washington County through the renovation and restoration of the Historic Washington County Court House.

In 2005 Washington County is celebrating the 100th anniversary of the completion of the Historic Washington County Court House. The Washington County Historical Society is presently sponsoring a lecture series on the history of Washington County and other related topics. The Shiloh Museum is installing a permanent display on County Judge Millard Berry and the Historic Washington County Court House, and a group of prominent residents is spearheading a drive to help raise funds to restore the historic structure. Although the Historic Washington County Court House has been plagued by maintenance and space problems since its earliest days and parking problems since the 1960s, the historic structure has been spared the wrecking ball and remains structurally sound. Also, even with the loss of the majority of county offices, the Historic Washington County Court House has remained a vibrant county facility in which citizens can research yesterday's county news in the archives and where they may redress grievances in the newly restored courtroom housing Judge Mary Ann Gunn. I have sincerely enjoyed researching and writing the history of the historic courthouse and hope county residents, as well as former county employees, continue to share their memories of this building. In paraphrasing George Donaghey's words of 1905, I hope a restored Historic Washington County Court House will continue to serve as an "ad" not only for itself, but for the city and county and as a monument to the public

spirit and enterprises of the people who have called Washington County home since its earliest days.

Circuit Judges and Chancellors Who Called the Historic Washington County Court House Home

Circuit Judge, 1st Division	Chancellor, 1st Division	Chancellor, 2nd Division
J. S. Maples, 1905-1918 W. A. Dickson, 1919-1926 J. S. Maples, 1927-1930 John S. Combs, 1931-1938 J. W. Trimble, 1939-1944 Ted P. Coxsey, 1944-1946 Maupin Cummings, 1947-1978 Mahlon Gibson, 1979-1990 William Storey, 1991-1994	T. H. Humphreys, 1905-1916 Ben F. McMahon, 1916-1924 Sam Williams, 1924-1925 Lee Seamster, 1925-1942 John K. Butt, January-August, 1943 F. O. Butt, September-December,1943 John K. Butt, 1944-1948 Lee Seamster, 1949-1950 Thomas F. Butt, 1951-1993	John R. Lineberger, 1977-1993

Elected Officials Who Called the Historic Washington County Court House Home

County Judge	County Clerk	Circuit Clerk	Treasurer
W. E. Williams, 1905-1908 B. F. Greer, 1908-1912 J. T. Hight, 1912-1916 George Appleby, 1916-1919 Frank Campbell, 1919-1921 J. E. Dowell, 1921-1926 H. L. Baker, 1927-1928 J. L. Slaughter, 1929-1932 H. E. Jackson, 1933-1936 I. R. Rothrock, 1937-1942 G. F. Caudle, 1943-1946 Witt Carter, 1947-1952 William L. Bush, 1953-1956 Bruce Crider, 1957-1962 Arthur L. Martin, 1963-1964 Gene L. Thrasher, 1965-1968 Vol B. Lester, 1969-1978 Charles A. Johnson, 1979-1995	B. F. Greer, 1905-1908 E. Page Watson, 1908-1912 George Appleby, 1912-1916 Clem Pearson, 1916-1921 J. M. Bishop, 1921-1925 Harris Tilley, 1925-1926 G. C. Little, 1927-1928 H. E. Jackson, 1929-1932 Merle Cruse, 1933-1936 D. L. Moore, 1937-1942 Roy A. Scott, 1943-1952 Paul C. Davis, 1953-1962 Ruth E. Roberts, 1963-1976 Marilyn Edwards, 1977-1995	G. J. Rodgers, 1905-1908 M. F. Croxdale, 1908-1912 J. C. Vaughan, 1912-1916 J. L. Davis, 1916-1921 E. Page Watson, 1921-1926 Pat Johnson, 1927-1932 Henry Walker, 1933-1936 Clint Jones, 1937-1940 W. V. Shofner, 1941-1944 Richard Greer, 1945-1952 W. S. Bronson, 1953-1954 Lloyd McConnnell, 1955-1966 Alma Kollmeyer, 1967-1994	R. F. Bell, 1905-1908 W. D. Parks, 1908-1912 A. C. Watson, 1912-1916 Lee Davis, 1916-1921 W. H. Johnson, 1921-1925 T. Page Harrison, 1925-1928 C. S. Stearnes, 1929-1932 W. E. Page, 1933-1936 Wallace Shofner, 1937-1940 Minnie Bronson, 1941-1946 Clint Shook, 1947-1960 Mrs. Bethel Jones, 1960 Hugh Sherry, 1961-1974 Joan Perry, 1975-1995

Elected Officials Who Called the Historic Washington County Court House Home

Assessor	Collector	Sheriff
W. H. Holcomb, 1905-1906 G. W. Hays, 1906-1910 Walter Shreve, 1910-1914 J. L. Harris, 1914-1919 Perry Harrison, 1919-1921 G. W. Hays, 1921-1923 T. Page Harrison, 1923-1925 G. W. Hays, 1925-1930 T. Page Harrison, 1931-1934 Carl Thurman, 1935-1938 George Caudle, 1939-1942 J. C. Pettigrew, 1943-1946 George McConnell, 1949-1954 R. C. Walters, 1955-1958 A. E. Morrell, 1959-1964 G. L. McConnell, 1965-1968 Perry L. Rushing, 1969-1978 Sue Phillips, 1979-1993	Kit Phillips, 1905-1908 J. C. Reed, 1908-1910 S. W. Caudle, 1910-1914 R. M. Morton, 1914-1919 H. E. Jackson, 1919-1928 J. C. Wilson, 1929-1934 C. W. Trewhitt, 1935-1940 Witt Carter, 1941-1946 Ralph Taylor, 1947-1954 G. L. McConnell, 1955-1962 Paul Davis, 1963-1964 Sarah Teague Walker, 1965-1978 Josephine Mhoon, 1981-1982 Pat Little, 1981-1982 Joe Cantrell, 1983-1993	Kit Phillips, 1905-1908 J. C. Reed, 1908-1910 S. W. Caudle, 1910-1914 R. M. Morton, 1914-1919 H. E. Jackson, 1919-1921 S. H. Guinn, 1921-1923 W. H. Johnson, 1923-1925 S. H. Guinn, 1925-1926 Henry Walker, 1927-1932 Harley Gover, 1933-1936 Herb Lewis, 1936-1940 A. B. Davidson, 1941-1942 C. Page Gulley, 1943-1946 Bruce Crider, 1947-1956 Hollis Spencer, 1957-1962 A. B. Davidson, 1963-1968 Bill Long, 1969-1972

COURTHOUSE MEMORIES

Editor's note: The following are recollections submitted by people who work or have worked at the Historical Washington County Courthouse. Your editor interviewed Sarah Walker. The others responded to a request from Tony Wappel.

Sarah Walker
Collector (retired)

Sarah Walker spent twenty-four years working in the Historic Washington County Courthouse, ten as deputy collector under George McConnell and Paul Davis followed by fourteen as collector. Her memories are a treasure trove of stories about people who worked there and came there to do business in those years—1955–1978. She recalls the camaraderie at the Christmastime potluck dinners at the armory next door, and the time two elected officials, one of whom had a gun, who confronted each other in the basement—a frightening experience for all the employees but fortunately resolved without violence.

Her accounts of everyday happenings in her office reveal compassion and dedication to service to the community. Her office sent reminders in the summer to those who had a balance due and made phone calls to those who had paid nothing to give them a chance to pay before the fall deadline. An office kitty was the repository for the occasional twenty-five or fifty cents left when the accounts didn't quite balance. With these funds she was able to help people like the old lady who supported herself by picking beans, tomatoes, or strawberries and didn't have enough money to pay her tax bill. Walker says she knows from experience what it is like to pick beans all day.

Now and then a disgruntled taxpayer cast a pall on the day, such as the woman who came into the office to pay but didn't like the tax amount and grabbed the receipts from Walker's hand. Walker followed her to the other end of the courthouse and said

she would send the police to her home. The following morning the woman appeared, paid, and apologized profusely.

Walker retired just as computers came in. She described the office procedures using typewriters, calculators, and the Addressograph machine. This last device cut small plates on which were embossed the legal descriptions of real estate and which were used to cut receipts. After the receipts were cut a typist added the value and tax. Personal property accounts were done by typewriter. This process required a sizable staff of eight or ten and even more at the busy times of the year.

Sometimes a property owner came in to pay his taxes without his statement and said something like, "You know that big tree in the middle of the road? That's where I live." And Walker and the man would go to the map to identify the location.

Walker has always lived in Washington County She was born in Springdale, the daughter of Earl and Syble Wohlford. Later the family moved to a farm at Greathouse Springs Her first husband was Taft Teague and her second, Bryan Walker, who as a child lived in the Old Jail when his father was the sheriff and his mother the cook for the prisoners. After their marriage Sarah and Bryan lived on the Archibald Yell place, the grounds of which are now the site of Walker Park. After Bryan's death Sarah donated the Yell law office to the Washington County Historical Society. It now stands on the grounds at Headquarters House.

Kim M. Smith
Circuit Judge

I attended court for the prosecutor's office as a law clerk in 1974–1975, as a deputy prosecuting attorney from 1975 through 1978 and as the elect prosecuting attorney from 1979 through 1986, in the old courthouse. I have many wonderful memories and stories of the building, but just a few here.

In 1978 law enforcement officers caught James Ray Renton and Harold Davey Cassell, who were both charged with capital murder in the 1975 slaying of Springdale patrolman John Hussey. Mahlon Gibson was leaving office in January of 1979 and I was taking over as the twenty-nine-year-old elected prosecuting attorney for Washington County with these two complex murder cases to prepare for trial. The prosecutor's office was in the old armory building just south of the courthouse. It was always busy and crowded in our offices, so I was able to get County Judge Charles Johnson to let me have some office space on the southwest corner of the fourth floor of the courthouse where former sheriff Kenneth McKee had had an office as the head Arkansas State Police drug investigator for this area. I spent two solid months up there preparing the cases for trial, which both took two to three weeks to try with over thirty witnesses and over one hundred exhibits. The Renton trial was held in the circuit courtroom of the old courthouse. I was able to obtain convictions on both men. James Renton died in prison and Davey Cassell is still there on a life without parole sentence.

One day we had prisoners in the courtroom for arraignments and pleas in front of Judge Maupin Cummings. One of the prisoners ran out of the courtroom door and jumped over the stair banister and down the stairwell one floor to the main floor. Joan Perry was coming in the south door of the courthouse, saw the man in prison stripes running for the door, and held the door closed until a deputy caught up with the prisoner.

I have a funny memory of Judge Cummings leaning back in his big desk chair in his office in the northwest corner of the third floor opening his mail and throwing the envelopes and trash mail over his shoulder onto the floor. When the judge left his office, Lloyd "Stocky" Stockburger would come in and pick up the mess

Jeane Mack
Director
Juvenile Detention Center

I never worked in that building, but early in the nineties we had a riot in the old Juvenile Detention Center and had to move the kids to the old jail (basement of courthouse) for security reasons until the other facility was repaired. The jail hadn't been used in some time and we had to do a bit of housekeeping for sanitary reasons. It was my first week as assistant director and the director had to go out of town. We obviously had to stay with the juveniles around the clock until we could return to the detention center. I stayed for two days without leaving. During a break Eric, the guy working with me, and I were looking around at all the beautiful roll top desks that were being stored down there. We saw the old ledgers written with fountain pens in script, "Farmer trades horse for 2 acres." It was awesome. We both thought at that time how all this should be displayed for all to see. It was such a shame the history of Washington County was just sitting there in the basement. So I am extremely excited about the renovation of this building and hope that all can see and enjoy those ancient desks and ledgers.

Bette Stamps
Circuit Clerk

One afternoon long ago I was quietly working at my desk in the circuit clerk's office. All of a sudden there was screaming and crying coming from the second-floor hallway. Of course we all jumped up to see what was going on. Low and behold, two men were fighting in the hall and right before my eyes one bit the others earlobe off! Blood was going everywhere, kids were screaming, and both men went running out of the courthouse with their families running after them. As soon as the injured man got to the hospital, someone called to see if we could find his ear. The

bailiff and I crawled around on the floor until we found the earlobe! We wrapped it in a towel and off to the hospital the bailiff went. Alas, it was too late to save the earlobe.

One of the reasons I was hired to work in the circuit clerk's office was because of my handwriting. You see, everything was handwritten in the 1970s. We wrote all the real estate and court records in big index books. In those days we had one bathroom on the main floor for the ladies and one for the gents. By one, I mean one—one seat in each room. I washed my hands in cold water, as there was no hot water in the building. Each winter we wore our coats for days because we had no heat. Lucky me, I was fortunate enough to have a pair of gloves without fingers (made writing and typing much easier). In the summer we could open those big ol' windows and let the hot air in along with the flies and bugs. I climbed those rickety old stairs each day without a thought other than being aware my great-grandfather walked the same stairs. We had the ceiling fall in on top of us; we had the blinds come down on our heads. Even so, we loved it. Working in the old courthouse was an honor, a character-building experience. That Grand Old Lady knows more than we would dream. There is an air about her that cannot be replaced by a new building. I am thankful for the privilege of having worked and collected wonderful memories there.

Anita Phillips
Chief Deputy Circuit Clerk

When I was a little girl, my father, Richard B. Greer, was the circuit clerk. When I came to visit at the courthouse, I loved to get on the ladder that went to the top of the books and ride around the room when no one was in there. I also discovered the stairs that went to the judge's chambers and I spent many an hour upon those stairs in my imaginary world. This was in the late forties and many years before copy machines. Daddy would take pictures of

all the filings each day and then plunge them into the developing fluid in the courthouse darkroom. They developed in negative form and that is why the old records look like a negative. Next they were put in a dryer that looked like a big hanging file folder. After they dried they were put in the books. These were known as photostatic copies. It was all very fascinating.

Deborah Ranalli
Property Manager
Sheriff's Property and Evidence Department

I reminder a time when I worked at the circuit clerk's office here in the old courthouse, it was so cold. We didn't have any heat in the middle of winter, and we had to wear our coats and gloves to keep warm in order to work.

Boyd J. Darling
Comptroller

I remember that the ghost stories were abundant when I was working in the old Washington County Courthouse in the early 1990s, The courthouse was the site of several hangings from the third floor balcony, therefore enabling people to have a creative imagination when it came to ghost stories. One such story came from a coworker. She was not a superstitious person, but this one particular subject was very scary to her. She had to work one Saturday. The courthouse was empty, and she knew she was all alone. The office she worked in was connected to several other offices. While she was busy working, an outer door slammed shut. She thought that our supervisor had come in to work and closed the door for privacy. A little later, she went over to the supervisor's office to ask a question. When she knocked on the door, nobody answered. She went into his office and nobody was there, nor had they been there. She knew that nobody had been in to close the door and that there was no way that the door could

have closed on its own. She packed her belongings and left the building, never wanting to work on Saturday again.

One of the probation officers knew that this coworker was spooked by the courthouse ghosts. He asked her one day if she had come in early that day to make coffee. It seems that when he arrived for work that morning, the coffee was already brewed. She assured him that she had not made the coffee, and he convinced her that the ghost had made it for him. This story continued for well over a year, with the officer asking her if she made coffee at least once a week. She was convinced that we had a friendly ghost making coffee for him. It wasn't until we moved out of the courthouse that he confided in her that it was all a joke.

Virginia C. Harriman
Secretary (retired)
County Board of Education

When I look at the Historical Washington County Courthouse and reflect on the thirty-seven years I had the privilege of working as secretary to J. R. Kennan, county school supervisor, and after his death continuing with the Washington County Board of Education, I am filled with pride. It was always a pleasure to come to work. This beautiful building is a symbol of our heritage and the magnificent architecture is visible from almost every direction by which one enters the county seat of Fayetteville. This building definitely merits total restoration.

ARKANSAS AND WASHINGTON COUNTY 100 YEARS AGO

PATRICK G. WILLIAMS

Note: This is the slightly altered text of a talk given on February 22, 2005 to commemorate the centennial of the Historic Washington County Courthouse.

Back before I hired on to work on the *Arkansas Historical Quarterly*, and long before I was asked to teach Arkansas history, I thought I knew all I needed to know about the state. Because I thought I understood the 1870s, I thought I'd figured out Arkansas for the next eighty years. Democrats returned to power in 1874 and they stayed in power for the next century. They wrote a state constitution that year, and it's still in force. They reined in the role that black Arkansans had played in government during Reconstruction, and it stayed reined in. By the 1870s sharecropping and tenant farming were well established as the way Arkansas conducted its biggest business—cotton—and that, too, remained the case for many decades to come. The basics of Arkansas life were set in the 1870s, I concluded. That's it. Nap time. Wake me up when we get to the Depression, World War II, the civil rights movement. Nothing really happens till then. All I needed to know besides that was that Arkansas was evenly divided between a southeastern half devoted to commercial agriculture and a northwestern half that was isolated, self-sufficient, and more remote from the main currents of the national economy.

That was my lazy man's history (and geography) of Arkansas. But the lazy man's version didn't stand a ghost of a

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chance once I started working on the *Quarterly* or, several years after that, started teaching Arkansas history. But it wouldn't have survived even as long as it did had I perked up and paid a little bit of attention to my surroundings. Some of the earliest *Quarterly* articles I worked on made clear that the first decade of the twentieth century, during which the Washington County courthouse was built, was one of profound change, which left the Arkansas of 1910 very different than the Arkansas of my pet decade of the 1870s. A moment's glance at the scale and beauty of our old courthouse should have told me that that simple dichotomy of plantation lowlands and backwoods highlands needed to be chucked too.

What was happening in Arkansas as the people of Washington County built their courthouse in 1904–1905? In many respects, the first years of the twentieth century were good times. After decades in the gutter, cotton prices had started to go up by 1900. Cotton remained Arkansas's biggest business, so good times for cotton meant better times overall—higher wages and salaries off the farm, too. A long agricultural depression was ending that had shaped every aspect of Arkansas life in the last decades of the nineteenth century. It had driven many Arkansas farmers into tenancy or sharecropping. It had created a political discontent that shook Democrats' hold on power. This turmoil had been quelled only when the voting rights of most black Arkansans and many poor white ones were taken away.

But more important in wrecking my lazy man's history were the developments in these years that brought the state closer to the Arkansas we know than it had been even ten years before. It's not always the case that you can trace a vital industry back to a single man, a single place, a single year. But in 1904—the year construction began on the Washington County courthouse—William Fuller planted some seventy acres in rice down near Stuttgart. Arkansas had barely grown a grain of the stuff before then. But rice-growing quickly spread through the

Grand Prairie region of eastern Arkansas and then into parts of the delta. Within five years of Fuller bringing in his crop, Arkansas was the nation's third biggest rice producer. Since then, of course, it's taken the lead.

These early years of the twentieth century also saw the astounding metamorphosis of Northeast Arkansas. A tangle of forest and swamps was becoming the rich, flat, largely treeless farmland we see as we barrel through that part of the state today. We call it Whayne's world after its foremost historian. Jeannie Whayne has chronicled the cutting and draining of the land and the subsequent struggles of homesteaders, planters, speculators, and lumberman to claim pieces of it. After a good deal of litigation, a little dynamite, and some dirty tricks, much of this land ended up in the hands of men who could afford to assemble it in plantation-sized holdings.[1] As this courthouse was being built, the far side of Arkansas was becoming plantation country, where there had been relatively few plantations back in slavery times—or even in the 1870s.

But by 1905 many more Arkansans were making a living by doing other things than growing things. Coal had been mined in western Arkansas since in the late 1800s. As railroads were built into the deepest recesses of the Ozarks after 1900, manganese, zinc, and lead mines opened up, too. Arkansas was becoming the world's greatest producer of bauxite (which my students tell me is the essential ingredient of beer cans). That status did not bring the state the wealth it otherwise might have, though. By our year of 1905, most all that Arkansas bauxite was controlled by the Pittsburgh Reduction Company and its tycoon, Andrew Mellon— future secretary of the treasury and prophet of modern Republican tax cutting. Arkansans in 1905 were not only mining things but making things. The number of manufacturing establishments in Arkansas increased by over 100 percent in the first decade of the twentieth century.[2] Most of these businesses

digested the raw materials Arkansas produced in abundance—making cottonseed oil or things out of wood.

With the expansion of railroads, industry, and population came urban growth. The percentage of the state's population living in towns and cities almost doubled between 1900 and 1920. As more Arkansans lived in urban areas, the state could do better by its schoolchildren. The amount spent on education per pupil increased several times over between 1900 and 1920. School attendance became compulsory. Illiteracy among Arkansans ten years of age or older fell from 20.4 percent in 1900 to 13.5 percent in 1909. The absurd decentralization of education that stills plagues us grew only worse, however. The number of school districts in the state climbed from 4903 in 1900 to 5118 in 1920.[3]

With that exception, all of these developments in the first years of the twentieth century surely comport with most anyone's notion of progress. But American history is never uncomplicated, and progress is never unalloyed. Many things got better for Arkansas in the first decade of the twentieth century. But for some Arkansans, some things got worse. In 1903, legislators passed laws extending Jim Crow segregation to streetcars and even jail cells. They were elaborating on a pioneering piece of Jim Crow legislation—the separate coach law that, unfortunately, bears the name and fingerprints of a gentleman from Washington County—Judge John N. Tillman. Tillman would become president of the University of Arkansas in our year of 1905 and later represent the area in Congress. In 1891, as a state senator, he had introduced the bill requiring that African Americans be consigned to separate railroad cars and waiting rooms. This statute, like separate coach legislation across the South, marked the decisive step in making racial separation a matter of law. If Arkansas Democrats were expanding upon segregation in the early 1900s, they also made disfranchisement more ironclad. The year after this courthouse

opened, Democrats straightforwardly banned African Americans from voting in their party's primaries—the crucial elections in what by that time had become a one-party Democratic state.

One man in particular seemed intent on making life worse for black Arkansans—Jeff Davis, Arkansas's governor in 1905. Born in 1862, Davis had been named after the president of the Confederacy. Some of his less well-informed constituents apparently weren't aware that the two Jeff Davises weren't one and the same guy. One Arkansan is said to have praised the local Jeff as "the greatest and longest-lived man that ever was."[4] Davis had been raised in a well-off Russellville family and become a prosperous lawyer. He was never a farmer. But Davis convinced many small white farmers that he was their best friend. He denounced railroads, bankers, his fellow lawyers, his fellow politicians, and newspapermen— referring to the latter as "squirrel-headed editors." Davis had been elected attorney general in 1898 and prosecuted out-of-state insurance companies for price-fixing. After being elected governor in 1900, he brawled with the legislature and with his opponents. On one occasion he vetoed three hundred bills, carried them back to the capitol in a wheelbarrow and dumped them on the senate floor. In a hotel lobby here in Fayetteville, he walloped our recently retired congressman with a cane. The man, in turn, pistol-whipped Davis. But Davis still had spite to spare—and he fixed it on the state's black population. Wishing to give black schools only as much tax money as black people could afford to pay, Davis sneered that to educate an African American was to spoil a good field hand. Most Democratic politicians tut-tutted when lynchings occurred, officially regretting them as violations of law and order. In our year of 1905, with President Theodore Roosevelt in the audience, Governor Davis gave lynching his blessing as a defense of white womanhood.

But Arkansas history is never uncomplicated. Governor Davis wasn't all hot air and white sheets. With his support, the

legislature passed laws restricting child labor (at least away from the farm), establishing a state reform school and schools for the deaf and blind, and strengthening regulation of out-of-state corporations. We can see, amidst the hatefulness of the Davis years, the beginnings of progressive-era government in Arkansas. Many in Arkansas's growing urban middle class joined with workers organized by the American Federation of Labor and farmers led by the Farmers Union to demand that state and local government do more to protect the public interest in this rapidly changing Arkansas of the early twentieth century. This more came to include expanded corporate regulation, surprisingly bold initiatives in public health, the beginnings of a highway and state welfare system, laws governing working conditions. The progressive seed that had been planted by the time this courthouse was dedicated would bear fruit during the governorships of Fayetteville's Charles Brough and, earlier, George Donaghey—often counted as Arkansas's first progressive governor. Before being elected in 1908, Donaghey had been a builder. He built the very courthouse whose centennial we are celebrating.

It's come time to account for the scale and the splendor of the Washington County courthouse. More was at work than the building skill of George Donaghey or the architectural vision of Charles Thompson. Clearly, the structure doesn't look like the courthouse of a backwoods Ozarks county. And, of course, Washington County had never been that. From well before the state university was established here, as long as Arkansas has been a state, and even—I'd wager—when it was briefly Cherokee territory, this area had been unusually prosperous, well-populated, and well-educated. The relatively level, fertile, and well-watered lands of the Springfield plain made Washington County Arkansas's leading producer of livestock and grain throughout the antebellum era. The dean of Ozark historians, Brooks Blevins, has suggested that Washington

County practiced a Midwestern style of agriculture that set it apart from much of the rest of Arkansas.[5] Though a good many slaves labored in communities like Fayetteville, Cane Hill, and Cincinnati, the family farms of Washington County, unlike lowland Arkansas, grew little cotton. But neither did they simply raise corn and hogs for their own and their neighbors' consumption, as many of their Ozark neighbors did. Instead, they grew wheat, oats, and corn, and raised cattle, sheep, and hogs, for sale to townspeople in their own county, to cotton growers in the Arkansas River Valley, and even for markets in Missouri and even as far away as Chicago.

Washington County was mauled as badly or worse by the Civil War as any county in Arkansas. There was more here for armies to burn and guerrillas to pillage—courthouses and colleges and rich farmsteads. There were also people to be freed—the some fifteen hundred African Americans enslaved in the county in 1860. For all the disruption that warfare and emancipation brought, Washington County had by 1880 resumed a leading place in the state as a producer of grain and livestock.

But it is really the arrival of the railroad in 1881 that underwrote the prosperity made manifest in this courthouse. With the railroad there blossomed (literally) the two industries that would shape county livelihoods through the first decade of the twentieth century and indeed through the end of the First World War. The Saint Louis and San Francisco Railroad—the Frisco—connected the county to points north, but also to the Arkansas River Valley. A line built later in the 1880s extended from Fayetteville up the White River to Saint Paul in Madison County. These lines put the white oak of the Boston Mountains within easy reach of a world greedy for wood—greedy for railroad ties, greedy for fenceposts. In the first years of the twentieth century, Fayetteville was something of a timber town. The Northwest Arkansas Lumber Company shipped several

hundred railroad cars of lumber daily from Fayetteville and Springdale. The J. H. Phipps Lumber Company employed several hundred men here.[6] Phipps would later be acquired by Jay Fulbright, whose son, J. William Fulbright, would be born, coincidentally, just about the time the Washington County courthouse opened. Washington County workers did not simply cut logs into boards but did more skilled woodwork. Firms like the Fayetteville Wagon Wood and Lumber Company fashioned wheels for carriages and handles for plows. Fayetteville, of course, was a lot more than a pasted-together timber boomtown, ready to bust up and blow away once the trees were all cut. By 1900, it had all the amenities of a long established town of four thousand—electric light and power, water, telephone service, plus the state's premier institution of higher learning, which in 1899 had changed its name from Arkansas Industrial University to the University of Arkansas. Younger folk could study at schools with similarly familiar names—Washington, Jefferson, or Leverett.

The Frisco had made trees the county's livelihood in a second way. As county residents mowed down white oak in the southern reaches of the county, they carefully tended apple trees elsewhere, The county was home to over one-and-one-half million apple trees by the time its courthouse was built, producing over half a million bushels of apples annually.[7] They could be shipped fresh by railroad to distant places. But by 1905 Washington County had also gotten into the business of commercial canning. Washington and Benton counties were in many respects the nation's apple capital early in the twentieth century. Through World War I, fruit was the county's biggest business—not only apples but peaches, strawberries, and grapes.

It's probably fair to say that apples and timber built our courthouse. Chickens didn't. Washington County raised and sold lots of chickens—nearly 100,000 in 1910.[8] But the poultry industry was really still a gleam in some rooster's eye. Only

after the near simultaneous decline in the 1920s of those two defining industries of early twentieth-century Washington County, lumber and apples, did men like Springdale's Jeff D. Brown and John Tyson bring mass production to the business of birds.

Clearly, Washington County had plenty of reasons for the civic pride inscribed in this courthouse. But Arkansas history is never uncomplicated, and progress is never unalloyed. Nothing happened in Washington County remotely like what occurred in Harrison in our year of 1905 and again in 1909, when white violence and the threat of mob action led an entire black community to break up and flee. But African Americans were choosing not to live in Washington County in the early twentieth century. While the county's population doubled between 1870 and 1920, its number of black residents actually dropped—falling by almost one-third between 1900 and 1910 alone. By the latter year, the county's black population stood at considerably less than half what it had been when slavery ended. Black people were leaving old farm communities that railroads had passed by, like Cane Hill and Cincinnati. But they seem to have been leaving Fayetteville, too. The number of African Americans in Fayetteville dropped from 367 in 1900 to 278 in 1910. In the meantime the city's white population grew by some five hundred.[9]

Washington County was becoming whiter by 1905. But its white population had also grown more ethnically diverse. Through much of the nineteenth century, it had largely been white and black southerners who had streamed into Arkansas from elsewhere. But in the decade this courthouse was built, the new rice lands of the Grand Prairie and newly dry lands of Northeast Arkansas were attracting migrants from the Midwest. In the late 1800 Germans had poured into the Arkansas River valley. And, of course, in 1898 Father Pietro Bandini had led a group of Italian immigrants up from malarial Chicot County to

the spot west of Springdale that came to be Tontitown. By the time this courthouse opened in 1905, Tontitown had become such a conspicuous outpost of Italy in America that it warranted a visit from Italy's ambassador to the United States.

We have all come to treasure Tontitown as a splendid example of that most basic American process by which immigrants become part of a broader community but also continue to cultivate their distinctiveness. They become American, and at the same time make America all the more interesting. So, it's easy to forget that one hundred years ago, Italian immigrants weren't always made welcome by their neighbors. Tontitown's first residents were met with harassment, vandalism, even an attempt to torch their church. This latter act brought a reminder from Father Bandini that self-defense was as American as cherry pie: "We are all Americans here, and I am warning you that we will use our American rights in our own defense. There are few men among us who have not served in the Italian army. We are familiar with guns. From this moment on I am colonel of our regiment, and I assure you that night and day a sentinel will guard our streets. Anyone who comes to us intent on evil-doing will be shot."[10]

A hundred years hence Washington County remains an unusually prosperous, well-populated, and well-educated part of Arkansas. And again it is being peopled by newcomers who speak a different language than most of those long resident here—though this time our newcomers are not Italian but Latino. When the time comes to mark the bicentennial of this building, we can hope that someone wiser than I will report that we in 2005 righted some old wrongs in welcoming our new neighbors warmly, while honoring and preserving all the things the generation of 1905 did with greater skill and care than we seem to be capable of.

1. Jeannie M. Whayne, *A New Plantation South: Land, Labor, and Federal Favor in Twentieth-Century Arkansas* (Charlottesville: University Press of Virginia, 1996), especially chapter 4.

2. Carl H. Moneyhon, *Arkansas and the New South, 1874–1929* (Fayetteville: University of Arkansas Press, 1997), 101.

3. Ibid., 102, 128; Jeannie M. Whayne et. al., *Arkansas: A Narrative History* (Fayetteville: University of Arkansas Press, 2002), 293.

4. Raymond Arsenault, *The Wild Ass of the Ozarks: Jeff Davis and the Social Bases of Southern Politics* (Philadelphia: Temple University Press, 1984), 22.

5. Brooks Blevins, *Hill Folks: A History of Arkansas Ozarkers and Their Image* (Chapel Hill: University of North Carolina Press, 2002), 13, 22, 39

6. Shiloh Museum of Ozark History, *History of Washington County, Arkansas* (Springdale: Shiloh Museum, 1989), 247.

7. Ibid., 283; Blevins, *Hill Folks*, 44.

8. Shiloh Museum, *History of Washington County*, 285.

9. U.S. Bureau of the Census, *Negro Population 1790-1915* (Washington, DC: Government Printing Office, 1918), 95, 777.

10. Walter J. Lemke, "The Story of Tontitown, Arkansas," *Washington County Historical Bulletin* 44 (August 1963): 11.

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